

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 3:08-CR-173
)	
JERRY LEE ROGERS, JR.)	

MEMORANDUM AND ORDER

This criminal case is before the court on the defendant's motion for a continuance of the trial [doc. 22]. For the reasons stated in a sealed affidavit, counsel for the defendant avers that additional time is needed to prepare this case for trial. Counsel also avers that the defendant is in compliance with the conditions of his release on bond. The government is in agreement with the defendant's motion.

The court finds the defendant's motion well taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). The court finds that the failure to grant the defendant's motion would deny counsel for the defendant the necessary time to prepare for trial. 18 U.S.C. § 3161(h)(8)(B)(iv). Therefore, all the time from the filing of the defendant's

motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A).

Therefore, it is hereby **ORDERED** that the defendant's motion is **GRANTED**, and this criminal case is **CONTINUED** to November 4, 2009, at 9:00 a.m.

ENTER:

s/ Leon Jordan
United States District Judge